

MICHAEL F. KRIEGER
REGISTERED PATENT ATTORNEY

**KIRTON &
McCONKIE**
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
1800 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
P.O. BOX 45120
SALT LAKE CITY, UTAH 84145-0120
www.kmclaw.com

FAX (801) 321-4893
TELEPHONE (801) 328-3600
E-MAIL: mkrieger@kmclaw.com

PATENT APPLICATION
Docket No: 10012.7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement. Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of twenty-six (26) references submitted for consideration.
- ☒ Legible copies of the listed references or their relevant portions.
- ☐ All English translations of each nonenglish reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.

___ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

___ Promptness Certification.

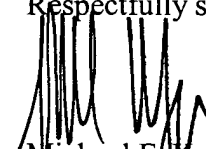
___ Check No. _____ in the amount of \$ _____ constituting submission fee -- see 37 C.F.R. § 1.17(p)

___ Petition for Consideration and Check No. _____ in the amount of \$ _____ -- see 37 C.F.R. § 1.17(i)(1).

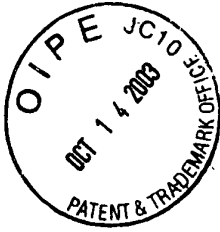
X In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 500843 of the undersigned.

DATED this 9 day of October 2003.

Respectfully submitted,


Michael F. Krieger
Attorney for Applicant
Registration No. 35,232

KIRTON & McCONKIE
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 321-1707



PATENT APPLICATION
Docket No: 10012.7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Walter A. Zohman

Serial No.:

10/613,335

Filed:

July 3, 2003

For:

FENESTRATED PERIPHERAL NERVE
BLOCK NEEDLE AND METHOD FOR
USING THE SAME

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which

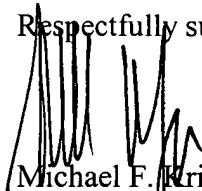
the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Please credit any over payment or charge any additional fees to Deposit Account No. 500843 of the undersigned.

Dated this 9 day of October, 2003.

Respectfully submitted,

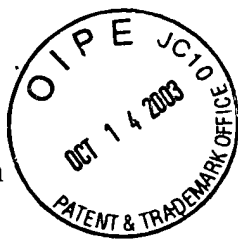


Michael F. Krieger
Attorney for Applicant
Registration No. 35,232

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 328-3600
Facsimile: (801) 328-1707

MFK:jjrj

Applicant: Walter A. Zohman
 Serial No.: 10/613,335
 Filing Date: July 3, 2003
 For:



Att'y Docket No. 10012.7

FENESTRATED PERIPHERAL NERVE BLOCK NEEDLE AND METHOD FOR
 USING THE SAME

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub Class</u>	<u>Filing Date</u>
_____ A1.	2,922,420	01/26/60	Cheng	128	221	11/29/57
_____ A2.	3,565,074	02/23/71	Foti	128	214.4	04/24/69
_____ A3.	3,856,009	12/24/74	Winnie	128	214.4	05/29/73
_____ A4.	4,230,123	10/28/80	Hawkins, Jr.	128	658	10/31/78
_____ A5.	4,308,875	01/05/82	Young	128	753	03/11/81
_____ A6.	4,317,445	03/02/82	Robinson	128	214.4	03/31/80
_____ A7.	4,629,450	12/16/86	Suzuki et al.	604	164	05/06/85
_____ A8.	4,973,313	11/27/90	Katsaros et al.	604	165	09/13/89
_____ A9.	4,994,036	02/19/91	Biscopoping et al.	604	158	08/07/89
_____ A10.	5,106,376	04/21/92	Mononen et al.	604	164	07/03/90
_____ A11.	5,242,410	09/07/93	Melker	604	164	04/23/92
_____ A12.	5,250,035	10/05/93	Smith et al.	604	164	04/20/92

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Walter A. Zohman
 Serial No.: 10/613,335
 Filing Date: July 3, 2003
 For:



Att'y Docket No. 10012.7

FENESTRATED PERIPHERAL NERVE BLOCK NEEDLE AND METHOD FOR
 USING THE SAME

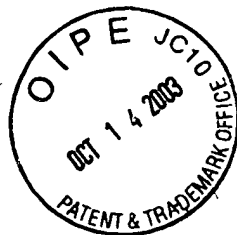
_____ A13.	5,304,141	04/19/94	Johnson et al.	604	158	12/31/90
_____ A14.	5,312,360	05/17/94	Behl	604	164	03/18/93
_____ A15.	5,336,191	08/09/94	Davis et al.	604	165	08/13/92
_____ A16.	5,466,225	11/14/95	Davis et al.	604	165	05/27/94
_____ A17.	5,480,389	01/02/96	McWha et al.	604	165	08/09/94
_____ A18.	5,571,091	11/05/96	Davis et al.	604	165	09/01/95
_____ A19.	5,628,734	05/13/97	Hatfalvi	604	272	03/23/95
_____ A20.	5,669,882	09/23/97	Pyles	604	164	04/23/96
_____ A21.	5,730,749	03/24/98	Battenfield	606	167	12/15/95
_____ A22.	5,800,445	09/01/98	Ratcliff et al.	606	116	10/20/95
_____ A23.	5,836,914	11/17/98	Houghton	604	117	09/15/95
_____ A24.	5,865,806	02/02/99	Howell	604	164	04/04/96
_____ A25.	5,871,470	02/16/99	McWha	604	158	04/18/97
_____ A26.	6,245,044	06/12/01	Daw et al.	604	158	07/17/98

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Walter A. Zohman
Serial No.: 10/613,335
Filing Date: July 3, 2003
For: FENESTRATED PERIPHERAL NERVE BLOCK NEEDLE AND METHOD FOR
USING THE SAME



Att'y Docket No. 10012.7

Prior Art Cited by Applicants

While the filing of prior art statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper prior art statement, Form PTO-1449 shall be accompanied by an explanation of relevance of each listed item, a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all prior art citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as prior art cited by the Examiner on Form PTO-892.

The reference designations "A1", "A2", etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142.

Examiner:Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
